

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2006-XXXX

APPROVING AN INITIAL STUDY
AND
ADOPTING A MITIGATED NEGATIVE DECLARATION
FOR
A SOIL AND GROUNDWATER REMEDIAL SYSTEM
AT THE
NICOLETTI OIL BULK PLANT
2801 BLOSSOM STREET, DOS PALOS
MERCED COUNTY

WHEREAS, the Regional Water Quality Control Board, Central Valley Region (Water Board) proposes to approve continuing operation of a remediation system to treat soils and groundwater at Nicoletti Oil Bulk Plant at 2801 Blossom Street in the town of Dos Palos; and

WHEREAS, the Central Valley Water Board issued a Cleanup and Abatement Order (R5-2005-0701) to ExxonMobil Corporation and Nicoletti Oil, Inc. to investigate and cleanup a condition of pollution and nuisance at the Nicoletti Oil Bulk Petroleum Plant in Dos Palos caused by the discharge of gasoline and diesel fuel; and

WHEREAS, the Regional Board is the lead agency for this project under the California Environmental Quality Act and has conducted an Initial Study in accordance with Title 14, California Code of Regulations, Section 15063, entitled *Guidelines for the Implementation of the California Environmental Quality Act*; and

WHEREAS, copies of the Initial Study and proposed Negative Declaration were transmitted to or made available to all agencies and persons known to be interested in these matters and the public notice provided exceeded the legal requirements for such notice; and

WHEREAS, the Central Valley Water Board submitted a Notice of Completion for the proposed Mitigated Negative Declaration to the State Clearinghouse on 25 October 2005 for review and comment by interested parties.

WHEREAS, Comments regarding the proposed project were received from the San Joaquin Valley Air Pollution Control District, the California Department of Transportation and the law firm of Canelo, Wilson, Wallace and Padron, LLP, representing seven nearby residents.

APPROVING AN INITIAL STUDY

ADOPTION OF MITIGATED NEGATIVE DECLARATION

NICOLETTI OIL BULK PETROLEUM PLANT, MERCED COUNTY

WHEREAS, The only potentially significant impact associated with the Project is related to the possible presence of pollutants in the air or water discharges from the system or unacceptable noise levels, and

WHEREAS, Mitigation measures described in the Initial Study and draft Mitigated Negative Declaration would reduce this impact to a less than significant level. These measures include the implementation of adequate treatment systems to reduce discharges to the air in compliance with an air permit issued by San Joaquin Valley Air Pollution Control District and discharges to the sewer system in compliance with discharge standards issued by the City of Dos Palos would prevent these potential impacts. A revised Cleanup and Abatement Order been prepared to incorporate the necessary mitigation measures for maintaining acceptable noise levels.

WHEREAS, the Regional Board considered all testimony and evidence at a public hearing held on 23 June 2006 in Sacramento, California, and good cause was found to approve the Initial Study, adopt a Mitigated Negative Declaration and adopt a Monitoring and Reporting Program.

RESOLVED, that the Water Board approves the Initial Study and adopts the Mitigated Negative Declaration for the soil and groundwater Remedial Action.

I, Pamela C. Creedon, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the Regional Water Quality Control Board, Central Valley Region, on 23 June 2006.

PAMELA C. CREEDON, Executive Officer